

## REMARKS/ARGUMENTS

### **1.) Claim Rejections – 35 U.S.C. §103(a)**

The Examiner rejected claims 11, 13, 15 and 16 as being unpatentable over Reich, *et al.* (US 2002/0184256 A1) in view of Matsumoto, *et al.* (US 6,711,264) and further in view of Pang, *et al.* (US 6,931,543) and Salmimaa, *et al.* (US 2003/0142125 A1); and rejected claim 17 as being unpatentable over Reich in view of Matsumoto, Pang, Salmimaa, and further in view of D'Amico, *et al.* (US 5,077,790). The Applicant traverses the rejections.

In the prior Office Action, the Examiner indicated that claim 14 would be allowable if rewritten in independent form. The Applicant did that by amending claim 11 to include the limitations of claim 14 and intervening claim 12. The Examiner now rejects claim 11 as being unpatentable over the previously-cited references and the additional references of Pang and Salmimaa. The Examiner's reliance on those references, however, is inappropriate.

First, the Examiner asserts that Pang teaches the use of "messages [that] are arranged such that they have a first part and a second part, the first part being an unencrypted part that is not allowed to be encrypted, and the second part being encryptable," as recited in claim 11. Pang does not deal with encryption methods in a wireless telecommunications network, including the transmission of certain messages between a network entity and a mobile station, but with methods for preventing copying of a design implemented in a programmable logic device (PLD). Thus, one of ordinary skill in the art would not look to the teachings of Pang to solve the problem addressed by the present invention. Moreover, one skilled in the art would not consider the combination of the teachings of Pang with the three other references cited by the Examiner.

Second, the Examiner asserts that Pang teaches that "messages are arranged such that the first part contains a message type identifier identifying the type of the message, and after having received a message from said mobile station (see column 7, line 14-19), said network entity identifies the message type of said received message from the message type identifier and determines whether said identified message type

belongs to a predetermined category (see column 7, line 14-19)." Again, Pang does not deal with encryption methods in a wireless telecommunications network, much less the method recited in claim 11 in which a message type identifier is used in such encryption methods. Furthermore, the Applicant has reviewed the portions of Pang referenced by the Examiner and has found absolutely no teaching relating to the use of a "message type indicator" that could be considered analogous to the technical meaning of that term within the context of the Applicant's claimed invention.

Next, the Examiner relies on Salmimaa as disclosing "sending said predetermined triggering message to said mobile station only if the message type of said received message falls into said predetermined category (see [0033])." Salmimaa does not deal with "predetermined triggering messages," much less the encryption method recited in claim 11. In contrast, Salmimaa deals with an "apparatus and method for displaying a plurality of icons on the display of a mobile terminal." (see Abstract) Furthermore, the Applicant has reviewed the portions of Salmimaa referenced by the Examiner and has found absolutely no teaching relating to the use of a "predetermined triggering message" that could be considered analogous to the technical meaning of that term within the context of the Applicant's claimed invention.

It appears the Examiner has attempted to pick and choose from the prior art, based merely on the presence of certain keywords, the individual limitations recited in claim 11. The Examiner, however, has provided no support for why one of ordinary skill in the art would look to the teachings of the various prior art references to solve the problem addressed by the Applicant's invention. The Examiner, therefore, has failed to establish a *prima facie* case of obviousness of claim 11. Furthermore, whereas claims 13 and 15-17 are dependent from claim 11, and include the limitations thereof, the Examiner has also failed to establish a *prima facie* case of obviousness of those claims.

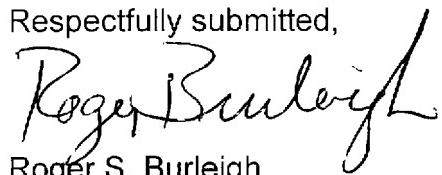
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**CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 11, 13 and 15-17.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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